

Message Text

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PAGE 01 STATE 135549
ORIGIN STR-07

INFO OCT-01 IO-13 ISO-00 STRE-00 AGRE-00 CEA-01
CIAE-00 COME-00 DODE-00 EB-08 FRB-03 H-01 INR-10
INT-05 L-03 LAB-04 NSAE-00 NSC-05 PA-01 CTME-00
AID-05 SS-15 ITC-01 TRSE-00 ICA-11 SP-02 SOE-02
OMB-01 DOE-15 OIC-02 AF-10 ARA-10 EA-10 EUR-12
NEA-11 /169 R

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APPROVED BY STR:WBKELLY,JR.
LABOR:DPARKER
STATE:HKOPP
COMMERCE:DSCHLECHTY
AGRICULTURE:JHUDSON
TREASURY:EBARBER

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FM SECSTATE WASHDC
TO USMISSION GENEVA PRIORITY

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USMTN

E.O. 11652: N/A

TAGS: ETRD, MTN

SUBJECT: US/EC OUTSTANDING ISSUES

REF: GENEVA 7727

1. WE AGREE THAT MTN DEL SHOULD PROCEED WITH ACTIVE
NEGOTIATIONS BASED ON EXISTING INSTRUCTIONS IN ALL AREAS
OF NEGOTIATIONS WHILE ACTIVELY SEARCHING OUT NEGOTIABLE
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PAGE 02 STATE 135549

PARAMETERS OF A FEASIBLE FINAL DEAL (PARA. 2, REFTL).
WHenever MTN DEL HAS A SPECIFIC PROPOSAL ON HOW TO DEAL
WITH ANY PROBLEM OR ANY ISSUE, SUCH PROPOSAL SHOULD BE
PROMPTLY COMMUNICATED TO WASHINGTON WHERE IT WILL BE
GIVEN IMMEDIATE ATTENTION AND, AFTER APPROPRIATE CONSULTA-
TIONS WITH THE PRIVATE SECTOR AND CONGRESSIONAL ADVISORS,
A RESPONSE WILL BE FORTHCOMING AS RAPIDLY AS POSSIBLE.

2. WE HAVE REVIEWED THE TENTATIVE LIST OF US/EC OUTSTANDING ISSUES THAT NEED TO BE CLARIFIED OR RESOLVED BEFORE JULY 15 (REFTEL). WE OFFER THE FOLLOWING COMMENTS:

3. CUSTOMS VALUATION: TWO ITEMS SHOULD BE ADDED TO LIST:

(1) ACCEPTABLE ADJUSTMENTS TO THE PRICE PAID OR PAYABLE AND (2) APPROPRIATE COMPENSATION IF ASP IS ELIMINATED, SUCH AS, FOR EXAMPLE, IMPROVED U.S. ACCESS TO EC ON CHEMICALS.

4. LICENSING. WE ARE UNCLEAR AS TO WHAT IS MEANT BY ISSUES LISTED. IN OUR VIEW, THE KEY ISSUES RELATE TO (1) THE CONDITIONS UNDER WHICH AUTOMATIC IMPORT LICENSING IS TO BE PERMITTED AND (2) WHETHER AND WHEN THE EC WILL PARTICIPATE IN THE NEGOTIATIONS ON THE TEXT ON LICENSING TO ADMINISTER IMPORT RESTRICTIONS.

5. STANDARDS. ONE KEY ISSUE IS DISCRIMINATION INHERENT IN REGIONAL CERTIFICATION SYSTEMS, WHICH APPEARS TO BE COVERED IN 4(B). OTHER ISSUES THAT SHOULD BE ADDED TO THOSE IN REFTEL ARE (1) DEFINITION OF "APPROPRIATE" INTERNATIONAL STANDARDS (2) RIGHT OF INTERESTED PARTIES (IN ADDITION TO ADHERENTS) TO COMMENT ON PROPOSED MANDATORY STANDARDS.

6. SUBSIDIES/COUNTERVAIL. GUIDELINES FOR DOMESTIC SUB-LIMITED OFFICIAL USE

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PAGE 03 STATE 135549

SIDIES AND AN ILLUSTRATIVE LIST OF DOMESTIC SUBSIDIES SHOULD BE GROUPED UNDER THE SAME HEADING.

7. AGRICULTURE. WE WOULD PREFER THAT DETAILS ON ISSUES IN AGRICULTURE BE OMITTED PENDING THE OUTCOME OF MAY 30-31 MEETING ON AGRICULTURE WITH THE EC. ACCORDINGLY, THE HEADING AGRICULTURE SHOULD, FOR THE TIME BEING, CONTAIN ONLY THE GENERAL SUBHEADINGS GRAINS, MEAT, DAIRY, OTHER PRODUCTS, AND CODES.

8. TARIFFS. A KEY ISSUE IS INDICATION BY EACH SIDE OF EXTENT OF LIBERALIZATION IN PRODUCT AREAS OF PARTICULAR INTEREST. THIS SHOULD BE SUBSTITUTED FOR LANGUAGE IN (C)(2)(D).

9. SAFEGUARDS. TRANSPARENCY IN GOVERNMENT/PRIVATE RESTRAINT ARRANGEMENTS SHOULD READ APPLICATION OF CODE TO GOVERNMENT/PRIVATE RESTRAINT ARRANGEMENTS.

10. SUPPLEMENTARY MTN-RELATED ISSUES. IMPLEMENTATION OF TOKYO ROUND RESULTS. AN ADDITIONAL ITEM ON TREATMENT OF NON-SIGNATORIES UNDER THE CODES SHOULD BE ADDED.

11. SUPPLEMENTARY MTN-RELATED ISSUES. POST-TOKYO ROUND
ROLE OF GATT. THERE ARE TWO ADDITIONAL ITEMS THAT WOULD
BE WORTHY OF DISCUSSION BUT THAT DON'T REQUIRE RESOLUTION
BEFORE JULY 15: (1) IMPACT OF MTN RESULTS ON GATT INSTI-
TUTIONS AND ADEQUACY OF GATT SECRETARIAT, (2) WORK PROGRAM
FOR UNRESOLVED ISSUES AFTER MTN.

12. THE ISSUES OF EC RULES OF ORIGIN, AND ITALIAN PATENT
PROTECTION FOR PHARMACEUTICALS SHOULD BE ADDED UNDER A NEW

HEADING ENTITLED SPECIFIC NTMS. THERE SHOULD ALSO BE A
SUBHEADING ENTITLED OTHER MEASURES UNDER THIS HEADING.

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PAGE 04 STATE 135549

13. ALTHOUGH THE LIST PRESENTS THE MTN AS A SERIES OF
DISCRETE ISSUES, WE REGARD THE NEGOTIATIONS AS AIMED AT
PRODUCING A SINGLE, BALANCED RESULT. THIS POINT SHOULD
BE MADE CLEAR TO THE EC. VANCE

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